

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TUBBY'S #14, LTD., et al,

Plaintiffs,

v.

TUBBY'S SUB SHOPS, INC., et al,

Defendants,

CASE NO. 04-70918

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

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**ORDER STRIKING PLAINTIFFS' RESPONSE TO DEFENDANTS'
MOTION FOR REHEARING**

UPON review, the Court has determined that Plaintiff's Response to Defendants' Motion for Rehearing (Docket No. 101), accepted for filing by the Clerk of the Court on January 5, 2007, does not conform with the requests that this Court made regarding responses to the parties' Motions for Reconsideration. This Court, pursuant to Local Court Rule 7.1(g)(2), ordered each party to file a response to the other party's Motion for Reconsideration. In addition, the Court order that the responses could be no more than a maximum of five pages. Plaintiffs filed a three page response and an eleven page brief.

IT IS ORDERED that Plaintiff's response be stricken from the record and deemed not a part of the record in this case. Plaintiffs are order to file a response that conforms with this Court's request of five pages. Additionally, this Court orders that the scope of Plaintiff's response be limited to the issues raised in Defendants' Motion for Rehearing.

As a result of this Order, Defendants' Motion to Strike Plaintiffs' Response to Defendants' Motion for Rehearing (Dock. No. 103) is rendered moot.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: January 10, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on January 10, 2007.

s/Denise Goodine
Case Manager